

UNIVERSITY OF FLORIDA COLLEGE OF MEDICINE JACKSONVILLE
Office of Educational Affairs

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Approved by: GMEC		Revised Date: 8/6/2009; 10/2/2012; 6/2/2014; 5/10/2016
Effective Date: 1994		Reviewed Date: 10/5/2010; 5/10/2016

From the ACGME Institutional Requirements (IV.A.1.): The Sponsoring Institution must have written policies and procedures for resident/fellow recruitment and appointment, and must monitor each of its ACGME-accredited programs for compliance.

Resident Eligibility: Applicants with the following qualifications are eligible for appointment to residency and fellowship programs at the UFCOMJ, as documented in the Resident/Fellow Recruitment section of the ACGME institutional guidelines (IV.A.):

Allopathic and Osteopathic Physicians

Medical School Criteria

- a. Graduation from a medical schools in the United States or Canada, accredited by the Liaison Committee on Medical Education (LCME); or
- b. Graduation from a college of osteopathic medicine in the United States, accredited by the American Osteopathic Association (AOA); or
- c. Graduation from a medical school outside the United States or Canada, and meeting one of the following qualifications:
 - (1) Holds a currently-valid certificate from the Educational Commission for Foreign Medical Graduates (ECFMG) prior to appointment; or
 - (2) Holds a full and unrestricted license to practice medicine in a US licensing jurisdiction in his or her current ACGME specialty/subspecialty program; or

Additional Criteria

- d. Candidates for residency programs must have passed USMLE Step 1, 2 CK, and 2 CS, or COMLEX Level 1, 2 CE, and 2 PE prior to appointment.
- e. Candidates for fellowship programs must have passed the requirements above, as well as USMLE Step 3 or COMLEX Level 3 prior to appointment.

Dentists

Dental School Criteria

- f. Dentists with the following qualifications are eligible to enter advanced specialty education programs accredited by the Commission on Dental Accreditation:
 - (1) Graduates from institutions in the U.S. accredited by the Commission on Dental Accreditation;
 - (2) Graduates from institutions in Canada accredited by the Commission on Dental Accreditation of Canada

General

- g. All medical graduates must be one of the following:
 - (1) United States citizen; or
 - (2) Lawfully Employable (i.e., EAD, PR or RA card holder – see definitions below); or
 - (3) Eligible for an ECFMG sponsored J-1 Visa; or
 - (4) Current UFCOM-J H1B visa holders will be eligible to transfer to a specialty program and maintain H1B Visa Status. Departments will be required to fund the cost of maintaining the H1B visa, as well as processing all visa petition paperwork, per the Universities International Center requirements; or
 - (5) Non UFCOM-J applicants who currently hold an H1B visa are eligible to port their visa to a UFCOM-J fellowship program if they meet the exceptional criteria to follow. Departments will be required to fund the cost of maintaining the H1B visa, as well as processing all visa petition paperwork, per the University's International Center requirements
- h. All programs must select from among eligible applicants on the basis of their preparedness, ability, aptitude, academic credentials, communication skills, and personal qualities such as motivation and integrity. Programs must not discriminate with regard to sex, race, age, religion, color, national origin, disability, or veteran status. All applicants, regardless of medical school origin, should meet the same high quality standards as predetermined by the program director.

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- i. All programs must participate in the National Resident Matching Program (NRMP) where available. NRMP requires participating programs follow their all-in policy as of 7/1/2012. Any exception to residents taken outside of the NRMP must be approved by the Senior Associate Dean for Educational Affairs.
- j. When applicants apply through the Electronic Residency Application Service (ERAS), they may indicate one of the following Visa types as their current status:
 - F1 = Student Visa – this individual is currently in the US attending a US medical school. This individual is eligible for a J-1 visa through ECFMG, pending graduation from medical school, unless the individual has applied for permanent resident status.
 - B1 = Temporary Business Visitor Visa – this individual is in the US as a tourist. If this person graduated from an international medical school, they would qualify for a J-1 Visa through the Exchange Visitor Sponsorship Program
 - B2 = Visitor for Pleasure Visa – this individual is in the US as a tourist. If this person graduated from an international medical school, they would qualify for a J-1 Visa through the Exchange Visitor Sponsorship Program.
 - E-3 = Specialty Occupation for Australian citizens
 - EA = Employment Authorization Card holder – is eligible for appointment regardless of medical school type
 - H1B = Specialty Occupation – is eligible for appointment to subspecialty training programs
 - J-1 = Exchange Visitor Sponsorship Program – is eligible for appointment to any training program
 - PR = Permanent Resident Card holder - is eligible for appointment regardless of medical school type
 - RA = Resident Alien Card holder - is eligible for appointment regardless of medical school type
 - Refugee/Asylum = Granted asylum in the United States – these individuals are eligible for appointment without any Visa sponsorship if they have their letter granting the asylum or refugee/asylum stamp in their passport.

Program Eligibility Requirements

Programs must follow the ACGME Eligibility Criteria from the Common Program Requirements. If a resident is not eligible per the institutional criteria above and the program wants to pursue a fellow's eligibility using the ACGME exception criteria, the program director must provide the DIO with the individual's assessment for consideration and approval by GMEC.

ECFMG Certification

Required of all International Medical Graduates, with the exception of Canada. Certification provides assurance to the residency and fellowship program directors that the IMG has met minimum standards of eligibility required to enter such programs. ECFMG Certification is one of the eligibility requirements to take Step 3 of the United States Medical Licensing Examination (USMLE), and is required by most states to obtain a license to practice medicine in the United States. ACGME Institutional Requirements on resident eligibility item IV.A.2.c).(1) requires ECFMG certification.

Canadian Applicants

Effective July 1, 2016, Canadian citizens sponsored for J-1 sponsorship will not be allowed to enter a subspecialty training program, unless the subspecialty is only one year in training duration OR is a pediatric subspecialty. Individuals who entered US training before July 1, 2016, they may be "grandfathered" in and allowed to seek subspecialty training, if the number of specialty statements of needs have not already been given to other applicants.

The Canadian Ministry of Health will start to decrease of the number of physicians allowed to participate in the J-1 visa sponsorship program. As a result, matching with a US program does not guarantee the Ministry of Health will provide the required documentation for J-1 visa sponsorship.

H-1B Visa Sponsorship Policy

The University of Florida College of Medicine (UFCOM) will, at its sole discretion and in conformity with the guidelines set forth below, sponsor temporary H-1B petitions for foreign nationals who seek employment/appointment at the UFCOM. Consultation with the UFCOM campus administrative offices about H-1B requirements, feasibility, and anticipated processing times is required prior to initiation of the H-1B visa petition process.

The H-1B Visa Category

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The purpose of the H-1B Specialty Occupation visa is to allow foreign nationals entry into the U.S. for *employment in specialties that require a bachelor's degree or higher*. (i.e., positions requiring "theoretical and practical application of a body of highly specialized knowledge and attainment of a bachelor's or higher degree in the specific specialty or its equivalent as a minimum entry into the occupation in the United States.")

The H-1B Visa is specific to a single employer (sponsor) and allows the person to be employed at a specific employer location for a specific period of time, up to a maximum of six (6) years.

H-1B Visas for Clinical Residencies and Fellowships

Unlike the J-1 Exchange Visitor visa, the primary focus of the H-1B visa is *employment, not training*. Individuals enrolled in clinical residency and fellowship programs are enrolled in educational training programs and therefore, except in unusual circumstances benefiting the institution, the most appropriate visa category for these individuals at the UFCOM is the J-1 rather than the H-1B Visa.

The H-1B visa category may be used for clinical residencies and fellowships in graduate medical education (in lieu of J-1) under the following limited circumstances:

1. Where the foreign national is a graduate of a U.S. medical or dental school; or,
2. Where the foreign national currently holds an H-1B for clinical graduate medical education (at another institution); or
3. For competitive reasons in exceptional circumstance (guidelines attached)

In all cases involving clinical residencies and fellowships in graduate medical education where use of the H-1B visa category is contemplated, the foreign national must be H-1B eligible at the time of appointment, and there must be sufficient time for the UFCOM campus administrative offices and the University of Florida Immigration Compliance Services (ICS) to prepare the petition, and for the United States Citizen and Immigration Services (USCIS) to process and approve the H-1B petition before the start date of the program. UF ICS requires 6 to 8 months to process and H1B. H1B visas must therefore not be utilized for individuals in the Main Residency Match in March.

Other conditions include the following:

- The H-1B category will be used only where the program can be completed within the 6-year time limit of the H-1B.
- H-1B Visas are prohibited from outside employment/moonlighting, since he visa is employer specific. H1B beneficiaries can maintain multiple H1B petitions at the same time.

Program Paid H1B Application Costs as per the UF ICS Fee Schedule

Federal Regulations require the department to pay the H1B application processing fees. These fees include:

- Filing Fee (currently \$325.00)
- Anti-fraud Fee (currently \$500.00)
This fee is payable to USCIS and is due each time an H1B petition is processed. An H1B petition is approved for the length of time of the principal's training license. For Allopathic physicians the petition is renewed every 2 years, Osteopathic and Dental are renewed annually.
- USCIS Premium Processing Fee (currently \$1,225.00)
- Fragomen Processing Fee (currently \$1,000)
- Fragomen Rush Processing Fees
 - \$1,500.00 for petitions submitted 126-140 days before the start date [Feb 10th to Feb 25th]
 - \$2,000.00 for petitions submitted 110-125 days before the start date [Feb 26th to March 12th]
 - Petitions submitted less than 110 days before the start are not possible [March 13th to June 30th]

Travel Costs

Visa application fees of the H-1B principal and H-4 dependents, required photos, border crossing fees, the cost of travel to/from a U.S. consular post abroad and to the United States, cost of lodging, meals, etc. will be the sole responsibility of the H-1B beneficiary (to the extent permitted by law).

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Fee associated with the trainees return to their home country, if removed from the training program, are the responsibility of the program.

Authorized Agents of the University of Florida for H-1B Purposes

The H-1B petition requires sponsorship by an employer. Only representatives of the UF ICS are authorized to sign all documents submitted to the USCIS and other state and federal agencies in which University of Florida is identified as the employer/petitioner. Any petitions submitted without the prior authorization and signature of a designated representative of the UF ICS may result in a request to the government for official withdrawal of the petition.

Guidelines for Ranking Exceptional H-1B Petitioners on the NRMP ROL

Exception Criteria:

The following factors shall be considered in deciding whether to offer an H-1B specialty occupation sponsorship to an IMG candidate for clinical residency/fellowship:

- The IMG is judged to be a strong future prospect for Attending Staff appointment;
- The IMG is a medical school graduate ranked within the top 2% of his/her graduating class;
- The IMG achieved an outstanding score/percentile on all steps of the USMLEs
 - Step 1: 250 or higher
 - Step 2 CK: 259 or higher
 - Step 3: 239 or higher
- The IMG has professional achievements, recognition, awards, publications, etc. significantly above those of his/her peers as documented on their CV

Procedure:

The following procedure will be used in considering a request for exceptional H-1B sponsorship of an IMG:

- IMG submits request to appropriate Program Director with explanation and documentation addressing the above Exception Criteria;
- Program Director reviews Exception Criteria to assess IMG's request and decides whether to request/recommend H-1B sponsorship;
- Program Director recommends exceptional H-1B sponsorship to the visa review panel (consists of the Senior Associate Dean for Educational Affairs, Associate Dean for Educational Affairs, Associate Dean for Student Affairs, and chair of the Graduate Medical Education Program Review Subcommittee)
- The visa review panel will approve or deny the exceptional H-1B sponsorship request, and communicate that decision to the Program Director. Individuals requesting H-1B sponsorship may be listed on a rank order list or offered a position in a non-match specialty, only if the request is approved by the panel